REMARKS

Claims 1-2, 10-11 and 19 were rejected as anticipated by KLOTH 6,598,034. The claims have been amended and reconsideration and withdrawal of the rejection are respectfully requested. Support for the amendments is found, for example, at the last paragraph on page 10 through the first two paragraphs on page 11.

KLOTH describes a rule-based system for processing Internet packets. Incoming packets are monitored to detect patterns, and the rules are applied based on the patterns detected (abstract). The rules imposed on the packets can be used for routing and classifying packets in order to smooth traffic flows across the various data paths (column 8, lines 2-7). In other words, the entire incoming stream of packets is monitored and directed according to rules.

The reference does not disclose an accumulate unit that accumulates, separately for each attribute, a quantity of the monitored packets and a combined total length of the monitored packets and thus the amended claims avoid the rejection under §102.

KLOTH monitors the incoming stream of packets (column 13, lines 24-26) and does not concern itself with what happens to the streams of packets after the rules have been applied. Thus, to the extent that a rule defines an attribute, KLOTH does not monitor the packets after the rules have been applied so that the

system in KLOTH does not accumulate, for each rule (attribute), the quantity of monitored packets and the combined total length of those packets. That is, KLOTH monitors the entire stream of packets so that the rules can be applied and does not monitor the packets to which the rules have been applied, and therefore does not disclose or suggest the claimed accumulate unit that accumulates the number and combined length of the packets separately for each rule (attribute).

KLOTH states at column 10, lines 47-49, that the rules might be associated with counting the various packets and routing as a function of the resulting count. That is, the number of packets may be counted and some rerouting may occur if the count reveals congestion. However, there is no suggestion to do so separately for each rule or attribute and thus this citation falls short of disclosing or suggesting that the quantity of the monitored packets and the combined total length of the monitored packets be accumulated for each attribute.
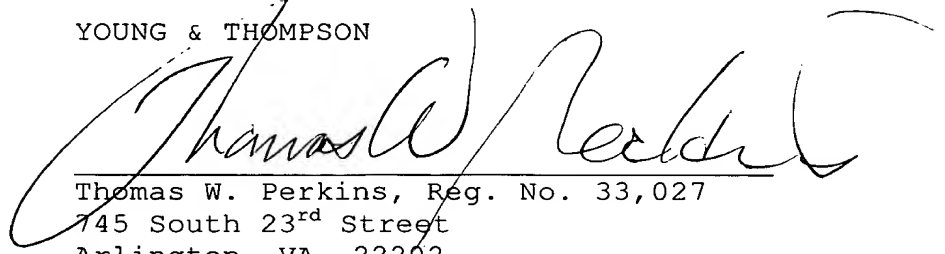
In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional

fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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